

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	
LCI HOLDING COMPANY, INC.,)	Case No. 1:13-cv-00924-SLR
)	
Debtors.)	
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)	
In re:)	
)	
LCI HOLDING COMPANY, INC.,)	Case No. 1:13-cv-01188-SLR
)	
Debtors.)	
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UNITED STATES’ UNOPPOSED MOTION TO CONSOLIDATE ITS APPEALS

The United States has appealed two separate orders issued by the Bankruptcy Court in In re LCI Holding Company, Inc. (12-bk-13319-KG). Those appeals have been issued separate case numbers and are both currently pending before this Court. (See 1:13-cv-00924-SLR and 1:13-cv-01188-SLR.) The United States now moves this Court for an order consolidating the two appeals into one proceeding with one appellate briefing schedule in order to aid the Court’s understanding of the issues and to conserve the time and resources of both this Court and the parties. In support of its motion, the United States avers as follows:

1. On April 17, 2013, the United States filed a notice of appeal of the Bankruptcy Court’s order approving the sale of substantially all of debtors’ assets (the “Sale Approval Order”).

2. That appeal was docketed as case number 1:13-cv-00924-SLR and assigned to this Court.

3. On June 7, 2013, the United States filed a notice of appeal of the Bankruptcy Court's order approving a compromise between the purchasers of debtors' assets and the unsecured creditor (the "Settlement Approval Order").

4. That appeal was docketed as case number 1:13-cv-01188-SLR and also assigned to this Court.

5. On July 1, 2013, after the United States filed its notice of appeal of the Settlement Approval Order but before that appeal was assigned a docket number, the United States moved to stay both orders. (See D.I. 13 (1:13-cv-00924-SLR).)

6. On July 15, 2013, debtors, the purchasers, and the unsecured creditors filed responses to the United States' motion to stay. (See D.I. 15, 16, 17 (1:13-cv-00924-SLR).)

7. There is substantial overlap between the United States' two appeals because both appeals generally relate to the facts and circumstances surrounding debtors' sale of substantially all of its assets to purchasers.

8. Accordingly, in order to aid the Court's understanding of the issues involved in both appeals and conserve the time and resources of both the Court and the parties, the United States' appeals should be consolidated into one proceeding with one appellate briefing schedule.

9. On July 17, 2013, counsel for the United States conferred with counsel for debtors, the purchasers, and the unsecured creditors regarding the United States'

motion and was informed that no party opposed the United States' request to consolidate the appeals.

WHEREFORE, the United States respectfully requests that this Court consolidate the United States' two appeals which have been separately docketed as case numbers 1:13-cv-00924-SLR and 1:13-cv-01188-SLR, into one proceeding and order a single appellate briefing schedule in the consolidated proceeding covering both appeals.

DATE: July 19, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this day, July 19, 2013, I electronically filed the foregoing United States' Unopposed Motion to Consolidate Its Appeals with the Clerk of the Court using the CM/ECF system.

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